



UNITED STATES PATENT AND TRADEMARK OFFICE

mn

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/647,300

08/26/2003

Eunhyung Kim

Q76059

2617

23373 7590 07/16/2007
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

LY, CHEYNE D

ART UNIT

PAPER NUMBER

2168

MAIL DATE

DELIVERY MODE

07/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/647,300

Applicant(s)

KIM ET AL.

Examiner

Cheyne D. Ly

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicants' arguments filed April 25, 2007 have been fully considered and are deemed to be persuasive. Rejections and/or objections not reiterated from previous office actions are hereby withdrawn. The following rejections and/or objections are newly applied. They constitute the complete set presently being applied to the instant application.
2. The addition of claims 21 and 22 has been entered.
3. Claims 1-22 are examined on the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 1 recites the limitation "the home media center" in line 4. There is insufficient antecedent basis for this limitation in the claim. Claims 2-11 are rejected for being dependent from claim 1.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2168

8. Claims 1-3, 5, 6, 8-16, and 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Myers et al. (2001) (Myers hereafter).

9. In regard to claim 1, Myers discloses a media file management system (page 106, Abstract etc.), comprising:

a control signal input unit that receives at least one control signal transmitted from an input device to control operations of the home media center (page 1, column 1, section 4. INFORMEDIA, to section 5. TYPES OF PRODUCTIONS, e.g.

“Informedia...a searchable multimedia library...the material is processed by Informedia);

a media file management unit that creates a search window that displays media files to be searched (page 109, column 2, section 6.1 Search Results View, e.g. Figure 2)

and an edit window that displays a media content file to be edited, when the media file is required to be edited (page 110, columns 1-2, section 6.4 Timeline View, e.g.

“the main view used for detailed editing”), and searching and managing the media files through the search window or the edit window in accordance with the at least

one control signal (page 111, column 1, lines 1-6, e.g. “Timeline view window perform editing and playback operations”); and

a display driving unit that displays the search window and the edit window together in a single display screen (page 109, column 1, lines 14-19, “nine different screens” in a single display as exemplified on page 107, Figure 1), wherein the media file management unit is implemented in a single program application (page 109, column 1, lines 14-19, “Silver”).

10. In regard to claim 2, Myers discloses a memory unit that stores the media file edited by the media file management unit (page 108, columns 1-2, section 4, INFORMEDIA, e.g. database); and

a display driving unit generates displayable results of the editing of the media file by the media file management unit (page 110, Figures 5 and 6, e.g. Timeline view).

11. In regard to claim 3, Myers discloses an interface unit that accesses media files stored in another information appliance (column 8, lines 16-27, e.g. (page 108, columns 1-2, section 4, INFORMEDIA, and page 109, column 1, last paragraph, “a search using Informedia”).

12. In regard to claim 5, Myers discloses the media files are album files containing at least one of image, music or movie files (page 108, columns 1-2, section 4, INFORMEDIA, e.g. multimedia library).

13. In regard to claim 6, Myers discloses wherein the media file management unit comprises:

an application driving unit that drives an application configured to manipulate a type of media file selected, and manages the media file through the application (page 113, column 1, section 7.1 Intelligent Selection);

an edit window creation unit that creates the search window (page 110, columns 1-2, section 6.4 Timeline View, e.g. “the main view used for detailed editing”) or the edit window (page 110, Figures 5 and 6, e.g. Timeline view); and

a media file search unit that searches for media files stored in at least one of the memory unit and another information appliance (page 109, column 2, section 6.1 Search Results View, e.g. Figure 2).

14. In regard to claim 8, Myers discloses the media file management unit causes results of the execution of a file edit command for a media file selected in the search window to be displayed in the edit window (page 112, column 2, lines 1-3, e.g. “the user selects a portion of the video on one view in Silver, the equivalent portion is highlighted in all other views” as exemplified in Figure 1).

15. In regard to claim 9, Myers discloses the media file management unit causes results of the execution of a file edit command for a media file selected in the edit window to be displayed in the search window (page 112, column 2, lines 1-3, e.g. “the user selects a portion of the video on one view in Silver, the equivalent portion is highlighted in all other views” as exemplified in Figure 1).

16. In regard to claim 10, Myers discloses the file edit command includes delete command (page 111, column 1, lines 3-4, e.g. delete).

17. In regard to claim 11, Myers discloses the media file management unit is configured to copy the media file selected in the search window into the edit window in response to the Copy command being selected, and is configured to move the media file selected in the search window into the edit window in response to the Move command being selected (page 111, column 1, lines 3-4, e.g. copy and paste wherein paste has been interpreted as “move”).

18. In regard to claims 12-16, 18, and 19-22, Myers describes the claimed system for the implementing the claimed method as recited in claims 12-16, 18, and 19 as cited above.

19. In regard to claims 20-22, Myers describes “the Silver editor in Visual Basic...to distribute to our video editor so people can use it” which support that Silver is a computer readable medium.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

22. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Myers et al. (2001) (Myers hereafter) as applied to claims 1-3, 5, 6, 8-16, and 18-22 above, and further in view of Chernock et al. (US 6,229,524B1) (Chernock hereafter).

MOTIVATION TO COMBINE

23. Chernock describes an improvement to well known in the art video editors (column 1, lines 31-33) by providing a simple interface that allows a viewer to navigate a cursor among current hot spots and make a selection of function associated with one of them (column 2, line 66, to column 3, line 2). While, Myers describes a video editor interface comprising a cursor for user selection (page 111, section 6.5 Preview View, e.g. user moves the cursor

Art Unit: 2168

through the time line). Therefore, one of ordinary skill in the art at the time of the invention would have been motivated by Chernock to improve the editor of Myers to provide a simple interface that allows a viewer to navigate a cursor.

BASIS FOR PRIOR ART

24. In regard to claim 4, Myers describes the claimed invention except for the limitation of “universal remote control function.” Chernock describes the transmission of video data with the use of universal remote control function (column 4, lines 64-65, e.g. Universal Remote Control). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of Myers with the universal remote control device of Chernock to provide a simple interface that allows a viewer to navigate a cursor via a Universal Remote Control.

25. Claims 7 and 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Myers et al. (2001) (Myers hereafter) as applied to claims 1-3, 5, 6, 8-16, and 18-22 above.

26. In regard to claims 7 and 17, Myers does not explicitly describe paths of the media files are displayed in the edit window or the search window. However, Myers suggest a plan to add support for many other views such as adding WWW links (paths) in all other views might also be useful. Therefore, one of ordinary skill in the art at the time of the invention would have been motivated by Myers to add WWW links (paths) in all other views.

Therefore, it would have been obvious to one of ordinary skill in the art to use the method of Myers with the paths of the media files are displayed in the edit window or the search window.

CONCLUSION

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Pietropaolo et al. is specifically relevant to the claimed invention as recited in claims 1-3, 5, 8-10, 12-16, 18, 21, and 22.


28. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

29. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199. The USPTO's official fax number is 571-272-8300.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

Art Unit: 2168

31. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo, can be reached on (571) 272-3642.

C. Dune Ly 
Patent Examiner
6/28/07